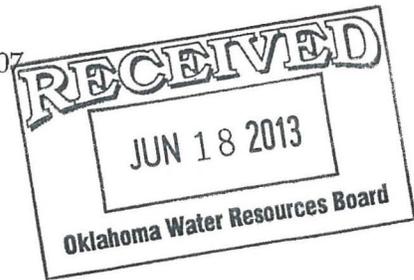


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June 18, 2012



Julie Cunningham
Chief of Planning and Management Division
Oklahoma Water Resources Board
3800 N. Classen
Oklahoma City, Oklahoma 73118
Via Email jmcunningham@owrb.ok.gov

Re: Material Service Corporation
Status Quarterly Report –
1st Quarter 2013

Dear Ms. Cunningham,

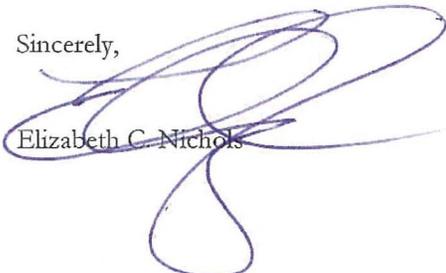
Please let this letter serve as a status update and for compliance purposes with 82 O.S. §1020.2(E)(1). Material Service Corporation (MSC) submitted a mine permit application to the Oklahoma Department of Mines (ODM) on June 25, 2003. Due to litigation, which is currently on appeal from the Pontotoc County District Court, MSC's administrative action to obtain its mining permit from ODM was stayed by the ODM Hearing Officer on April 7, 2005. MSC permit at ODM is considered active, but stayed pending the civil litigation. No mining permit has been issued.

If there is a determination that the MSC Quarry is within the OWRB designated Arbuckle Simpson Aquifer, pursuant to §1020.2(C)(2), MSC is considered an exempt mine. Once the mining permit is issued, MSC will report quarterly and annually to the OWRB on the mining status. This will be done in accordance with the §1020.2(E)(1). If the mine permit is issued between reporting periods, MSC will contact the OWRB prior to mining.

For your records, MSC did not produce any mine products or accumulate any pit water during the first quarter of 2013.

Please feel free to contact me if you need additional information at

Sincerely,


Elizabeth C. Nichols

c.c. Larry Stewart via email
John Forsyth, Esq. via email